

# **VOIR DIRE EXAMINATION**

## **VOIR DIRE EXAMINATION IS NOT FOR:**

1. Arguing your case
2. Anesthetizing Jurors
3. Educating Jurors
4. Immunizing Jurors
5. Indoctrinating Jurors
6. Inoculating Jurors
7. Programming Jurors
8. Pre-conditioning Jurors
9. Making points about your case, or
10. Eliciting anecdotal testimonials from prospective Jurors

The purpose for a question should be to find out something relevant about a prospective Juror's background, not to make a point about your case.

Questions should be germane to ascertaining whether a prospective Juror has any latent or concealed biases, prejudices, or prejudgments towards some type of evidence, or which may not yield to instructions from the Court and/or may affect the prospective Juror's ability to be fair and impartial.

Questions should not be merely designed to set up a theory of the case and/or argue the case in Voir Dire.

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The test for determining Juror competency is whether the Juror can lay aside any bias, prejudice or prejudgment and render a verdict solely on the evidence presented and the instructions on the law given by the Court.

A trial court should excuse any Juror for cause if any reasonable doubt exists as to whether the Juror possesses an impartial state of mind.